

1888-040 Chancery Causes: Adms. of Jonathan Richmond vs. James B. Ward
Lee Co.

CA-Debt
T-Property

-Deed

To the Honorable H. S. K. Morrison,
Judge of the Circuit Court of Lee
County Virginia.

I Humbly complaining,
sheweth unto your honor your
Orators, M. D. Richmond and H. C.
J. Richmond, Administrators of John
athan Richmond deceased, that
heretofore, to wit: At a Circuit Court
continued and held for Lee County
on the 8th day of September 1876,
they obtained in said Court a
judgement against James B. Ward,
of the said County, for the sum of \$56.,
with ^{legal} interest thereon from the
8th of December 1860 till paid,
and \$10 ⁹⁵/₁₀₀ costs; That upon this
judgement various fieri facias issued
which were placed in the hands of
the sheriff for collection, one of
which is herewith filed, with the
following return endorsed thereon
"No property found." J. Miles D.S.
for Thos. S. Ely. S.C. C.. Said judgement
and fieri facias are herewith filed
marked A.T.B. and prayed to be taken
as part thereof. Your Orators will
further show your honor that said
judgement was duly docketed in

the judgement lien docket in the
Clerk's office of the County Court
of said County, which will also
officially appear by reference to an
abstract from said lien docket,
herewith filed marked, C. Your
Orators will now further show
your honor that their said
judgement, no part of which has
been paid, is a lien upon the
real estate of the said James S.
Word; that the said Word is the
owner of a valuable tract of
land, situated on the headwaters
of Waller's Creek, containing 23
acres, and for a more particular
description of said tract of land,
reference is had to a copy of
the deed under which he holds
the same, herewith filed, marked
D.; that said Word is also the
owner of a small undivided
interest in the lands of his late
father Samuel Word dec'd. This
interest has been laid off, and
assigned to said Word, but the
partition and assignment has
not yet been confirmed. Your

orators are not acquainted with
said lands sufficiently, well
to say whether the rents and
profits of said lands will pay
the said judgement, interest,
and costs, and the costs of this
suit, in five years renting,
or not.

In tender consideration whereof,
forasmuch as your orators are
remediless in the premises, save by
the aid of a Court of equity, where
matters of this kind are alone
and properly cognizable, your
orators pray that the said James
B. Wood be made a party defendant
to this bill, and be required to
answer its allegations on oath,
that the said lands be sold
or leased to satisfy your orators
judgement, and that your honor
will grant unto your orators such
further and general relief as may
be consistent with equity and the
case requires.

May Spa. issue etc.

B. M. Reed,

p. 8.

6 6.86 to Jan 1888

3 50

A 15.00

8 24.46

estimate 3.50 to Jan 1888

\$25.96

^{Deputy}
M. D. McJannet
for cler

vs { Bill in chcy.

James S. Word,

1887 July Bill filed Spa.

Executed & Decree nisi

" Aug. Decree nisi Confirmed
& Cause set for hearing.

" Aug. Decree & Cont'd

" Decr. Continued
1888. Apr. Decree final

Look over law cause

orr. 6 4.48

3 .50

A 2.50

Hyatt 6 3.50

\$10.98

M. D. & H. C. T. Reel and ~~Answer~~ Plaintiff

vs

J. B. Ward

by Ex cheq
Dft

This cause came on this day to be heard upon the papers formerly read and was argued by counsel, and it being admitted in open Court by the Plaintiffs attorney that the debt in the bill mentioned to go there with all the costs of this suit has been fully paid to ^{Plaintiffs} ~~him~~, this cause is Stricken from the docket.

M.D. & 6 J. Richardson and Son

rs $\frac{1}{3}$ Dever's funeral

J. B. Ward

Entered by Chey

"O.B." page 124

Hyatt & Co.

Enter this deacon
H. S. M.

Apr 4th 1888

M.D. & H.C. Richmond Adams Plffs }
vs } Buckley
James B. Ward Defl.

This cause came on this day & be heard upon the bill of the Plaintiffs, and Exhibits filed therewith, and was argued by Counsel. And it appearing to the Court that process has been duly served on the defendant for more than thirty days before the first-day of this term, and that he has failed to appear, ~~and answer~~ plead or demur, the bill is taken for confessed against him. On consideration whereof it is adjudged ordered and decreed that the plaintiffs recover of the defendant the sum of fifty seven $\frac{40}{100}$ dollars with interest on fifty six $\frac{40}{100}$ dollars part thereof from the 8th day of December 1860 till paid, and the costs of this suit and it is further adjudged ordered and decreed that unless the defendant or some one for him shall pay to the plaintiffs said judgment interest and the costs of this suit within 30 days from the rising of this Court then B H Swell who is ap-

pointed a special Commissioner
for the purpose shall proceed to
rent the defendants lands for a
term sufficient to pay said judg-
ments interest & the costs of this suit
but before proceeding to rent said
Commissioner will execute bond
before the Clerk of this Court in a
penalty of \$250⁰⁰ conditional to
faithfully account for all moneys
received by him. Said renting
shall be at the front door of the Court
house of Lee County on a Court day
said Commissioner will require to
be paid down in cash a sum suf-
ficient to pay costs of suit and
renting. Said Commissioner will
advertise the time terms and place
of renting by posting written no-
tices ~~thereof~~ ~~the time place place~~
~~and terms of renting thereof~~ at
public places in said County
He will report his actions to a future
term of this Court and the cause
is continued

M.D.H.C. Y. Richmond Amos -

vs { Decree no 1 -

James B. Ward -

Entered on page 66

C.O. Book, No 3.

J. H. Hyatt.

Enter this.

Sept. 25. 1887.

H. A. K. M.

THE COMMONWEALTH OF VIRGINIA.

To the Sheriff of Lee County-Greeting:

WE COMMAND YOU that of the Goods and Chattles of

James B. Ward

Late in your Baliwick, you cause to be made \$ 56.42 with legal interest thereon from the 8th day of Decr 1880 till payment, which M D & H. C. & Richmond Adams

of Jonathan Richmond seed,

Lately in our Circuit Court of Lee county have recovered against him by suit for Debt

also \$ 8.64 which to the said M D & H. C. & Richmond

in our Court were adjudged for their costs in that behalf expended, whereof the said

James B. Ward

Convicted, as appears to us of record. And that you have the same before the Judge of our said Circuit Court at

the Courthouse on the first Monday in Janu to render to the said Richmonds

Adams & of the Debt and costs as aforesaid.

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the courthouse, this 8 day of Nov. 1880, in the 10 5 year of the Commonwealth.

James W. Orr CLERK.

6 47.48
of 2.80
5 .58
6 1.16
8.64

L & R (90) 8

W D & C S Rich-
mond Admire

vs. { Fin Fra
}

James B. Ward

Lucy Rule 1881

No property found

St. Miles & S.

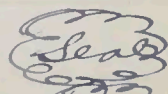
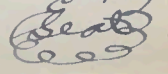
for Thos. & Eliza S. L.

(B)

This Deed made the 2nd day of May in the year of our Lord one thousand eight hundred and eighty five, between Samuel Ward and Orpha his wife of the County of Lee and State of Virginia of the first part, and James B. Ward of the County and State aforesaid of the 2nd part, Witnesseth that for and in consideration of the sum of one dollar to them in hand paid the receipt of which is hereby acknowledged, and the love and good will toward their Son James B. Ward, they the said Samuel Ward and Orpha his wife doth grant unto the said James B. Ward a certain tract or parcel of land lying, and being in the County of Lee and State aforesaid on the head waters of Hallens Creek and South side of Powells Mountain containing two hundred and thirty nine acres, be the same more or less, and bounded as follows to wit: Beginning on a chestnut and black oak in a line of Martin Drakes land, thence N 78 1/2° E 70 P. to a chestnut, thence N 67° E 34 Poles to a black oak, thence N 5 1/2° W 9 1/4 Poles to a stake, thence N 66° E 17 Poles to two chestnuts, thence N 15° E 1/2 Poles to a stake, thence N 23° W 20 Poles to a stake, N 67° E 24 Poles to a stake, thence N 49° E. 23 3/4 Poles to a stake, thence N 48° W 33 Poles to a stake thence N 61° E 23 Poles to an ash and two red buds on the top of Cave ridge thence up the ridge N 32° W 23 poles to a black walnut thence N 14° W 148 Poles to

a chestnut and black oak on the top of Powells
Mountain supposed to be in a line of G. St. Youngs
land. thence with the top of said mountain N 85°
W 15 poles to two chestnuts, thence N 80° W 22 Poles
to a chestnut oak, thence S. 82° W 50 Poles to a chest-
nut, thence S 69° W 22 Poles to a chestnut oak, thence
S 12 1/2° W 29 Poles to a white oak and black gum, thence
S 12° E 38 Poles to a chestnut oak on top of the end of
said Mountain, thence S. 8 1/2° W 29 Poles to a stake,
thence S. 10° E 22 3 Poles to the Beginning, and the
parties of the first sayeth that the above land
is not to be sold during their natural lives and
that any fence shall be used as a partnership
fence whereof it is necessary by either party and
they the said Samuel Word and Orpha his wife
doth covenant that they will warrant generally
the land hereby conveyed.

Witness the following signatures and seals

Samuel ^{his} Word 
Orpha ^{her} Word 

State of Virginia See Co to wit:

J. C. B. Duff a Justice of the Peace for the County
aforesaid and State of Virginia do certify that
Samuel Word whose name is signed to the
writing above bearing date 2nd day of May 1885
has acknowledged the same before me in the
County aforesaid. Given under my hand this 2 day
of May 1885.

J. C. B. Duff J. P.

See County to wit:

We E. C. Duff and John Riddle Justices
of the Peace for the County of Lee and State of
Virginia do certify that Orpha Word the wife of
Samuel Word whose names are signed to the
writing above bearing date on the 2nd day of May
1885 personally appeared before us in the
County aforesaid and being examined by us
privily and apart from her husband and
having the writing aforesaid fully explained
to her she the said Orpha Word acknowledged
the said Writing to be her act and declared
that she had willingly executed the same and
does not wish to retract it. Given under our
hands this 2nd day of May 1885.

E. C. Duff J. P.

John Riddle J. P.

Virginia See County Court Clerk's office the 20th
day April 1886. The foregoing deed bearing date
May 2nd 1885 between Samuel Word and wife of
the one part, and James B. Word of the other, all
of the County of Lee and State of Virginia was
this day admitted to record upon the foregoing
certificates,

John R. Gibson Clerk
Attest of Record

Teste John R. Gibson Clerk

Copy of deed from
Samuel Word & wife

To
James B. Word

Recorded Book 21.

Page 415.

J. R. Gibson clerk

D

Virginia

At a Circuit Court continued and held
for Lee County at &c Sept. 8th 1876.

M. D. & H. L. T. Richmond Adms of Jonathan Richmond Plffs

against

James B. Ward

In
Debt

The defendant not appearing, it is
considered by the Court, that the judg-
ment obtained against him in the clerk's
office for \$56.42, the debt in the
declaration mentioned, with legal
interest thereon from the 8th day of
December 1860 until paid and
the cost be made final.

A Copy

Test J. A. G. Hyatt cc

6 4.48
4 2.50
3 50
6 1.16
6 2.34
\$10.98
56 42
67.40

Richmond Adm
1/2 Copy of
vs 3 Indyt
James B. Ward

(A)

Fee for copy 20°

The Commonwealth of Virginia,

To the Sheriff of LEE COUNTY--Greeting:

WE COMMAND YOU to summon

James B. Ward

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House
on the first Monday in *July* next, being Rule Day, to answer a
Bill in Chancery exhibited in our Court against *him*, by *M. D.*

Richmond & H. L. Richmond Administrators
of Jonathan Richmond

And have then and there this Writ. Witness, J. A. G. HYATT, Clerk of our said
Court, at the Court House, this *23rd* day of *June* 188*7* in
the *11* year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste:

(B.N.S.)

M. D. & H. C. T. Richmond

vs $\frac{3}{3}$ Spain in Chcy

James B. Ward

To July Rules 1887

Presented by
delivering an
office copy of
this Spa to

James B. Ward
June 30. 1887

R. D. H. G. H. G.
S. L. G.